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September 1, 2006

MEMORANDUM

TO: Robert Whitehead, Technology Transfer Office

FROM: Anne-Marie Stomp, Associate Professor

RE: Response to Karen Magri Letter Dated August 11, 2006

Sir:

As the inventor of the technology for this patent, I can safely state that the Examiner is correct in that the present patent is not enabled for duckweed transformation by any other methods besides *Agrobacterium*-mediated and biolistic transformation. No experiments were ever done to investigate transformation of duckweed plants, cells, callus cultures, nodule cultures, etc., to determine if electroporation would work. As an expert in the field of duckweed transformation, I would not expect that methods used for *Agrobacterium* and biolistic transformation would work in the case of electroporation. To accomplish electroporation transformation, or any other methods, *Agrobacterium* and biolistic, excepted, many experiments would need to be done to identify a successful method. Therefore, there is no enablement on which to rest a claim for electroporation-mediated transformation of any duckweed species.

I trust that this declaration will help in this matter.

Anne-Marie Stomp

Cc: Karen A. Magri